

Neutral citation No.:2023:PHHC:055529
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

296

CRM-M-19699-2018
Date of Decision: 20.04.2023

Jyoti Swaroop
Versus
State of Punjab and another

....Petitioner
....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amit Gupta, Advocate for the petitioner.
Mr. H.S. Sitta, DAG, Punjab.

ANOOP CHITKARA, J.

Present petition has been filed for quashing of FIR No.71 dated 11.12.2016 registered under Section 408 IPC at Police Station Sanaur, District Patiala (Punjab).

Learned State counsel submits that the charges have been framed on 20.09.2021.

The present petition was filed on 02.05.2018, which reveals that the charges were framed during pendency of the present petition.

Since the judicial order has been passed which has eclipsed the police report under Section 173 CrPC, as such, the petitioners have to challenge the same.

Given above, the present petition filed under Section 482 CrPC for quashing of FIR without challenging the framing of charges, is not maintainable.

Consequently, the present petition is disposed of with liberty to the petitioner to file a petition for challenging the framing of charges, if so desire. It is made clear in case such petition is filed, the time for which the present petition was pending before this Court, shall not be counted while calculating the delay in challenging the framing of charges.

(ANOOP CHITKARA)
JUDGE

20.04.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no